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**Human Rights Committee**
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**Summary record of the 3456th meeting**
Held at the Palais Wilson, Geneva, on Tuesday, 13 March 2018, at 3 p.m.

*Chair*: Mr. Iwasawa

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*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States parties under article 40 of the Covenant** (*continued*)

*Seventh periodic report of El Salvador* (CCPR/C/SLV/7; CCPR/C/SLV/QPR/7)

1. *At the invitation of the Chair, the delegation of El Salvador took places at the Committee table.*

2. **Ms. Guillén** (El Salvador) introduced the seventh periodic report of El Salvador (CCPR/C/SLV/7), which had been prepared by an inter-agency team under the leadership of the Ministry of Foreign Affairs. She said that her country was firmly committed to ensuring compliance with the Covenant, as evidenced by the great strides it had made in the sphere of human rights. The Government had adopted an inter-agency, intersectoral approach to protecting human rights, including the establishment of mechanisms for ensuring citizen participation and accountability.

3. The Government's reparations policy for the victims of the Salvadoran armed conflict, in place since 2009, had translated into acts of great significance, including formal apologies to victims; the implementation, in 2013, of the Programme of Reparations for Victims of Serious Human Rights Violations Committed during the Internal Armed Conflict; and the establishment, also in 2013, of a commission tasked with searching for adults who had disappeared during the internal armed conflict, following the establishment of a similar commission, for children, in 2009. Moreover, in 2016, the Supreme Court had ruled that the General Amnesty Act was unconstitutional, which in turn had led to the launch of investigations into gross human rights violations committed during the conflict.

4. Advances had also been made in the protection of the rights of women and girls. Notable measures included the National Intersectoral Strategy to Prevent Pregnancy among Girls and Adolescents 2017–2027 and the National Strategic Plan for Comprehensive Maternal and Child Health Care 2015–2019. In 2016, special courts had been created to hear cases involving crimes against women.

5. El Salvador was currently working to strengthen the capabilities of the national police force responsible for combatting human trafficking. In addition, an inter-agency protocol for the delivery of comprehensive support to victims of human trafficking was expected to be adopted shortly.

6. In 2017, legislative amendments had prohibited both the marriage of persons under the age of 18 years and school bullying and had strengthened the rights of adolescent detainees. That same year, the National Council for Children and Adolescents had provided technical assistance towards the establishment of 36 local committees dedicated to the protection of children's and adolescents' rights. The Salvadoran Institute for Comprehensive Child and Adolescent Development had established a network to address the plight of children living in street situations, which remained a challenge.

7. Several measures had been taken to address the issue of unaccompanied migrant children. Prompted by an increase in the irregular migration of unaccompanied children towards the United States of America during the second half of 2014, the Government had strengthened consular networks to support legal mechanisms enabling family reunification, and a road map and protocol had been developed for the protection of migrant children. In addition, the National Policy on the Comprehensive Protection of Children and Adolescents (2013–2023) included strategies for the State institutions responsible for migration.

8. Since 2009, particular efforts had been made to promote the rights of the lesbian, gay, bisexual, transgender and intersex community. A training manual on sexual diversity had been published for the National Civil Police and the National Academy of Public Security. In addition, a dedicated telephone hotline provided support to victims of discrimination based on sexual orientation and gender identity.

9. The Government had adopted a multifaceted approach to establishing lasting peace and security throughout the country. The Safe El Salvador Plan, developed in broad consultation with all sectors of society, was based on five pillars: prevention of violence;

criminal prosecution for offences; rehabilitation of offenders; protection of victims; and strengthening of institutions. Guidance such as the Manual on the Use of Force and Lethal Weapons by the National Civil Police and procedures such as the Inter-Agency Coordination Mechanism to Strengthen Internal Controls at Security Institutions ensured that the actions of the authorities responsible for security were conducted in strict compliance with the law.

10. **Ms. Cleveland** said that she would like to hear about any training given to lawyers, judges, prosecutors and the general public regarding the Optional Protocol to the Covenant. She wished to know whether the State party had a formal mechanism for ensuring that draft legislation was in line with the Covenant. It would also be useful to learn whether a standing interministerial mechanism was in place to coordinate the reporting, implementation and follow-up processes associated with treaty body recommendations. She would be interested to hear about how El Salvador had engaged with civil society to prepare the periodic report and about plans to involve civil society in the implementation of the Committee's recommendations.

11. She would appreciate information on plans to expand existing efforts to combat gender-based violence; given the widespread nature of the problem, the measures taken thus far, although commendable, were insufficient. She wished to know what steps had been taken to implement the recommendations issued to El Salvador by the Committee on the Elimination of Discrimination against Women in 2017. It would also be helpful to learn more about the special courts established in 2016 to address women's issues.

12. The Committee would appreciate information on the measures taken to improve the collection of data on domestic violence and violence against women and to improve coordination between data-collection mechanisms; to address the high rate of impunity for perpetrators of gender-based violence; to combat gender stereotypes within law enforcement and the judiciary; to increase reporting of sexual crimes; and to protect girls and female adolescents from gang violence.

13. In the light of reports of reluctance to apply the definition of femicide as introduced in domestic legislation, she wondered whether the State party had plans to enhance the authorities' understanding of femicide. She also wished to hear about the steps being taken to improve application of the Procedural Protocol for Investigating Femicide and would welcome information on how the State party was addressing the recommendation to prohibit reconciliation in all cases of domestic violence.

14. The Committee would appreciate an account of the judicial consequences of the invalidation of the General Amnesty Act, including details on the number of cases which had been reopened since the Act had been ruled unconstitutional. It would also welcome information on the special unit assigned to investigate gross violations of human rights, including details on the resources allocated to the unit. Information on the measures taken to ensure the cooperation of the armed forces during investigations into human rights violations would likewise be appreciated.

15. Given the precautionary measures granted by the Inter-American Commission on Human Rights, she would be interested to hear about the efforts made to ensure the protection of the office and person of the Attorney General, and of civil society, and to ensure the independence and adequate funding and staffing of the offices of the Attorney General and of the Counsel General (of the Republic). She would also appreciate information on the status of the proceedings concerning the El Mozote massacre.

16. It would be helpful if the delegation could provide statistics on enforced disappearances in El Salvador. The Committee would appreciate details on the commission that had been created to search for adults who had disappeared during the internal armed conflict. It requested further information on the sustainability of the measures taken to locate disappeared persons; the possibility of requesting international assistance to strengthen forensic and investigative capacity; and plans to ratify the International Convention for the Protection of All Persons from Enforced Disappearance.

17. **Mr. Santos Pais** said that he wished to learn more about the Office of the Human Rights Advocate, including details on its independence and budget. He would also like to

know what steps had been taken to protect it from threats such as those posed by the reported recent theft, from the Office, of computers containing highly confidential information.

18. In the light of the figures for women's representation in public office, ranging from around 10 per cent (local mayors) to around 30 per cent (members of the Legislative Assembly), he would like to know what measures were envisaged to increase women's participation in political life. He would also like to know what percentage of judges and prosecutors were women and what posts they occupied.

19. Wage differentials between men and women had widened, not narrowed, in recent years, and according to the 2017 World Economic Forum Global Gender Gap Report the average monthly pay for women was 63.4 per cent of that of men for work of equal value. He asked what measures the State party envisaged to ensure both formal and substantive equality between men and women in the labour market. He would also be interested to know what steps were being taken to prevent workplace harassment, notably by encouraging victims to make complaints and thereby reduce impunity.

20. He would appreciate receiving information concerning the impact of the creation of the National Commission on Reparations for the Victims of Human Rights Violations in the context of the Internal Armed Conflict. He would further like to know how many victims had benefited from the reparations programme and what order of expenditure was involved. Noting that numerous victims were known to have died before receiving the amounts due, he said it would be useful to learn what steps were being taken to prevent delays in the disbursement of reparation to victims. An update on the status of the Register of Victims and on the progress made in discussions in the Legislative Assembly on the bill on comprehensive reparations for victims of the armed conflict would also be appreciated.

21. He wondered whether the State party intended to adopt legislation to ensure that the national commission on the search for children who had disappeared during the internal armed conflict would be able to continue its work; and he would like to know what human and financial resources had been placed at the disposal of the new commission tasked with searching for adults who had disappeared during the internal armed conflict. What was the total budget for 2018 for reparations to victims of serious human rights violations and victims of the internal armed conflict?

22. He would appreciate information on any steps taken by the Attorney General's Office to investigate the 89 complaints of serious human rights violations received in 2017. Specifically, it would be interesting to learn what measures had been taken by the Office to reinforce training for judges and prosecutors in international human rights and humanitarian law, including issues such as summary execution, enforced disappearance and torture.

23. The armed forces had been involved in civil security for many years; more than 14,000 troops were currently assigned to such duties. He would like to know what the State party's intentions were for the medium and long term: did it plan to continue using the armed forces for civil security purposes or would it focus on reinforcing the civil police? In recent years there had been hundreds of complaints concerning the actions of the armed forces engaged in civilian security operations, including allegations of extrajudicial executions. He would be interested to know how many such complaints had been investigated, how many had come to trial and what penalties had been imposed; details on the military ranks of those involved would also be appreciated.

24. He would like to know what measures were envisaged to strengthen the Technical and Scientific Division of the National Police, and what steps were being taken to gradually increase the capacity of the police force and the Attorney General's Office to conduct investigations without the assistance of the armed forces. Specifically, he wished to know what steps the State party intended to take to guarantee that all human rights violations by members of the armed forces on civilian security duty were investigated, tried and punished. He would appreciate receiving statistical data on any such cases over the past three years.

25. **Mr. Ben Achour** commended the State party on its amendment to article 63 of the Constitution recognizing indigenous peoples. There were surprising variations in the statistics on indigenous peoples in El Salvador, however: estimates of the number of

indigenous persons as a percentage of the total population ranged from 0.23 per cent to 12 per cent. Some NGOs maintained that the Government manipulated the figures by classifying some groups as mestizo in order to minimize the number of indigenous peoples: he would appreciate hearing the delegation's reaction to such criticism. Could the delegation provide an official figure for the percentage of indigenous people in El Salvador?

26. Despite the State party's efforts, over 60 per cent of the indigenous population still lived in poverty and nearly 40 per cent in extreme poverty. He would like to know what the Government was doing to rectify that situation, which amounted to discrimination. Indigenous people living in poverty were easy prey for organized crime and he wondered whether the Government intended to take firm preventive action in that regard.

27. He would appreciate hearing more about the content and progress of two new bills currently before the Legislative Assembly, one on a comprehensive response to the HIV/AIDS epidemic and the other on migration.

28. Despite the efforts made by the State party to protect sexual minorities from discrimination and stigmatization, as described in the periodic report, such discrimination persisted in certain areas. When applying for identity cards, for example, members of the lesbian, gay, bisexual, transgender and intersex community were reportedly subjected to ridicule, negative stereotyping and generally discriminatory attitudes. Hostility of a similar kind had dissuaded transgender persons from exercising their right to vote in the 2014 elections. Transgender persons were apparently also the victims of harassment and violence on the part not only of criminal gangs but also of the police. He would like to know whether the State party intended to adopt legislation on the subject of sexual orientation and gender identity in order to protect sexual minorities. He wondered what protection the Government could offer transgender persons in order to enable them to participate in elections. There appeared to be a degree of complacency towards those who expressed negative attitudes towards transgender persons and he would like to know how the Government intended to tackle the problem.

29. **Mr. de Frouville**, referring to the report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, on her mission to El Salvador in 2016 (A/HRC/33/46/Add.1), said that, despite the State party's efforts, there were still problems in the maquila, homeworking and agricultural sectors that appeared to indicate the existence of forced labour, in contravention of article 8 of the Covenant. He would like to know what progress was being made in implementing the Special Rapporteur's recommendations to ensure that public procurement contracts contained clauses prohibiting forced labour, to strengthen the labour inspectorate in order to ensure compliance with the legal standards regarding forced labour, and to review the relevant regulations to ensure that businesses operated in accordance with international standards such as the United Nations Guiding Principles on Business and Human Rights.

30. He wondered what progress had been made towards providing social security coverage for homeworkers and agricultural workers and whether it would be possible to bring them within the competence of the labour inspectorate. It would be interesting to hear what progress had been made towards ratification of the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).

31. Salvadoran women seeking abortions were doubly at risk, firstly because of the illegal nature of the operation and secondly because they were liable to prison sentences of up to 30 years, even where the baby was in fact lost as a result of a miscarriage or where the pregnancy was the result of rape. Of the 129 women prosecuted for pregnancy-related offences between 2000 and 2011, at least 27 were still in prison. He would welcome information on the status of the draft amendment to the Criminal Code currently before the Legislative Assembly, which set out the cases in which abortion would not be punishable; he would further like to know in what situations it was proposed that such an exemption might apply. In addition, could the delegation comment on reports that other bills were in the pipeline to impose even harsher penalties for "homicide" in such cases? He would like to know what measures were in place to prevent women seeking treatment in a medical emergency from being reported by staff and whether staff who refused treatment or

reported a patient were liable to criminal prosecution or disciplinary sanctions for failure to treat a person at risk.

32. He would be interested to know what the mission of the Ministry of Health's Unit for Comprehensive and Integrated Sexual and Reproductive Health Care was, and what action it took in pursuit of that mission. Noting that children and adolescents had a legal right to receive information and education on sexual and reproductive health, he said that he would like to know how that right was realized. What was the role of the support centres set up under the Women's City Programme? Did they dispense medical treatment or simply advice? It would be interesting to know what precautions were taken to ensure that any advice and information provided was objective, particularly with regard to abortion. Lastly, he noted that, in the context of the zika epidemic, the public had not been informed that it was possible to obtain oral contraception as a matter of urgency; he would like to know why not.

33. He understood that, following a recent reform, the Inspectorate-General of Public Security only investigated disciplinary matters; he therefore wondered which bodies investigated criminal matters involving officials of the National Civil Police. The State party's report had described two measures taken to protect victims during investigations; he was interested to know whether only two such measures had been taken in total or whether those mentioned were simply examples. Furthermore, he would like to know whether it was true that victims of human rights violations committed by police officers had to launch independent civil proceedings to obtain reparation, because reparation was never automatically granted in such cases. In addition, he would appreciate clarification as to the nature of the decisions of the Office of the Human Rights Advocate, referred to in paragraphs 107 and 108 of the State party's report, specifically whether they were convictions or decisions to launch inquiries.

34. Lastly, the Committee had received reports of so-called death squads operating within the National Civil Police, illegal groups that allegedly performed summary executions of suspected criminals. He would welcome the delegation's comments on those reports, as well as information on any proceedings instigated against those who took part in such activities.

35. **Mr. Shany** said that it was unclear what legal procedures and safeguards governed release from and internment in institutions on mental health grounds. He would welcome further information on the grounds for the deprivation of liberty of persons with psychosocial or intellectual disabilities, on any procedures set up to review administrative decisions on involuntary hospitalization on mental health grounds, and on any specific safeguards in place when decisions were made regarding the institutionalization of minors. Furthermore, he would appreciate the State party's comments on any progress it had made in implementing the recommendations of the Committee on the Rights of Persons with Disabilities, made in 2013, with regard to involuntary institutionalization, the accommodation provided to persons with disabilities in ordinary penitentiary centres, and reports of practices in psychiatric institutions that could be qualified as cruel, inhuman and degrading treatment or punishment, such as the use of restraints. Following its visit to El Salvador, the Working Group on Arbitrary Detention had expressed concern regarding overcrowding in the National Psychiatric Hospital. He would therefore appreciate further information on any action taken to reduce overcrowding, as well as information on the State party's progress in the implementation of the Caracas Declaration of the Pan American Health Organization. In addition, he would welcome the delegation's comments on reports that experimental treatments had been tested on psychiatric patients without their prior, free and informed consent, as well as a report published by the Inter-American Commission on Human Rights in November 2017 indicating that the State party continued to carry out forced sterilization and abortion on women with disabilities.

36. He welcomed the State party's progress in tackling the issue of human trafficking, but wondered whether the delegation could provide additional, updated information in that regard, including statistics broken down by year. He would also be grateful for information on the sentences imposed on perpetrators of trafficking offences, the reparations offered to victims, and the issuance of protection measures. More generally, it would useful to know how large a budget had been allocated for the application of the National Policy on

Trafficking in Persons and whether the regulations of the Special Act on Trafficking in Persons had been implemented. The Committee had received reports of the trafficking of women and girls by organized gangs linked to narcotics-related crimes, as well as reports that investigations into such activity were blocked by corrupt elements in the judicial system. For example, some reports claimed that prison guards had been investigated for acting as accomplices to trafficking-related crimes. He wondered whether the delegation could provide any information in that regard, as well as statistics on minors involved in trafficking offences. He would also appreciate the delegation's comments on reports that persons who paid for sexual services performed by minors were not brought to justice.

37. The 2017 Trafficking in Persons Report of the United States Department of State indicated that members of the lesbian, gay, bisexual, transgender and intersex community, especially transgender persons, were particularly vulnerable to trafficking. In addition, there had been reports that Salvadoran migrants who irregularly entered the United States of America were subjected to forced labour. He wondered whether the delegation could comment on those two issues. Lastly, he was interested to know whether the State party had taken steps to implement the recommendation made by the Committee on the Elimination of Discrimination against Women in its concluding observations on El Salvador in 2017 with regard to the establishment of a strategy to protect young women and girls from trafficking and to tackle discrimination against female prostitutes on the part of police officers and health-care officials.

38. **Mr. Muhumuza** said that persons of African descent were underrepresented in the State party's delegation. He wondered whether that was indicative of the representation of Afrodescendent peoples in El Salvador in general. With that in mind, he would welcome information regarding any advocacy programmes or affirmative action undertaken by the Salvadoran Government to ensure that persons of African descent played an active role in mainstream society.

39. **Mr. Heyns** said that according to paragraph 119 of the State party's periodic report, in May 2016, the Salvadoran Government had announced the establishment of a coordination mechanism to strengthen the internal controls of its public security institutions. However, in February 2018, the Special Rapporteur on extrajudicial, summary or arbitrary executions had indicated that she had discovered a pattern of behaviour among public security officials amounting to extrajudicial executions and the excessive use of force, which had been met by a weak institutional response, including at the investigatory and judicial levels. He therefore wished to know whether the coordination mechanism mentioned in the report was effective and would welcome an explanation of how it worked. Furthermore, he was interested to know in what circumstances Salvadoran legislation allowed public-security officials to use force. Lastly, it would be useful to hear whether the State party had plans to reform its legislation governing the use of force.

*The meeting was suspended at 4.35 p.m. and resumed at 5 p.m.*

40. **Mr. Ramírez Landaverde** (El Salvador), responding to questions put by Mr. Ben Achour, said that the amendments to articles 129 and 155 of the Criminal Code mentioned in paragraph 31 of the State party's report represented a major step forward in terms of the protection of lesbian, gay, bisexual, transgender and intersex persons in El Salvador. The implementation of those amendments by the staff of penitentiary centres, the National Civil Police, the Public Legal Service and the judicial system had already begun.

41. The number of crimes involving murder, bodily harm and threats targeting lesbian, gay, bisexual, transgender and intersex persons had decreased since 2016. Two officials of the National Civil Police who had assaulted a transgender man in June 2015 had been sentenced to 4 years' imprisonment, although an appeal had been lodged; two more had been sentenced to 3 years' imprisonment, but had subsequently been allowed to carry out alternative sentences.

42. Since 2015, the National Civil Police and other institutions involved in the conduct of elections had been following a procedure elaborated by the national electoral authorities to tackle discrimination against lesbian, gay, bisexual, transgender and intersex persons during elections. Discrimination in relation to gender designation on national identity documents remained a challenge, but it was hoped that the situation would improve through

legislatorial reform to eliminate discriminatory practices in the State's activities. In late 2017, the Ministry of Justice and Public Security had established a general policy on the protection of lesbian, gay, bisexual, transgender and intersex persons. Developed in collaboration with other Government agencies and civil society organizations, the policy was focused on six priority areas — prevention, care, protection, intersectoral coordination, knowledge management and accountability — and specifically provided for protection of lesbian, gay, bisexual, transgender and intersex persons who worked in public institutions and who used the services that those institutions provided. For the Ministry of Justice and Public Security, that meant protecting lesbian, gay, bisexual, transgender and intersex persons affected by the work of the National Civil Police and the National Public Security Academy and those deprived of liberty, as well as lesbian, gay, bisexual, transgender and intersex migrants.

43. Responding to questions put by Mr. de Frouville and Mr. Heyns, he said that all human rights violations committed by officials of the National Civil Police led to two parallel, independent sets of proceedings: one set disciplinary, the other criminal. In criminal matters, officials of the National Civil Police were subject to ordinary legislation. In 2014, the Inspectorate-General of Public Security had been transformed from an internal monitoring mechanism into an external body responsible for overseeing the work of the National Civil Police and the National Public Security Academy. In a similar vein, police disciplinary tribunals had been overhauled; they were no longer composed of officials of the National Civil Police, but rather by external legal professionals.

44. Updated guidelines on the use of force and firearms had been issued for the National Civil Police. In addition, the Ministry of Justice and Public Security participated in round-table discussions with civil society organizations working in the field of human rights; those discussions had resulted in a campaign to raise the public's awareness of the rules regulating the use of force to facilitate the identification and reporting of abuses. The decisions referred to in paragraphs 107 and 108 of the State party's report related to cases that had been opened by the Office of the Human Rights Advocate, but not all those cases had led to convictions or condemnations. By way of updated information, in 2017, there had been 1,483 reports of abuse by the National Civil Police, of which 834 pertained to alleged human rights violations. Of those 834, 62 complaints related to alleged cruel, inhuman and degrading treatment and 5 related to alleged acts of torture. Officials of the National Civil Police had been dismissed from service in one case relating to acts of torture and five cases relating to cruel, inhuman and degrading treatment. Three criminal cases had been opened, of which one had led to the conviction of four officials of the National Civil Police, who had been sentenced to 9 years' imprisonment on the charge of torturing an adolescent. Investigations into one of the other cases were still in the early stages, while judicial proceedings had begun in the other.

45. Turning to the questions put by Mr. Santos Pais, he said that the President had the power to deploy the Salvadoran armed forces to maintain public order, subject to the criteria of exceptionality, subsidiarity, temporality and strict necessity. Since 1994, the armed forces had played a supporting role in ensuring public security alongside the National Civil Police. In fact, the armed forces and the National Civil Police worked together in special groups made up of officials from both entities, with the responsibility for the group's actions falling to the highest ranking National Civil Police officer. To ensure that the support they provided complied with the Salvadoran legal and constitutional human rights framework, all staff of the armed forces were given training in human rights and in the use of force and firearms.

46. By and large, the offences of which members of the Armed Forces had been convicted were common offences. The armed forces had a procedure for dealing with such cases. However, three cases of detention by members of the armed forces had been investigated to establish whether enforced disappearances had taken place. In the oldest case, which related to an incident that had taken place in the west of the country, the Court had acquitted members of the armed forces who had participated in the detention of two young men. However, the Public Legal Service had appealed that ruling, and the case remained pending. Another case, which related to an incident that had taken place close to San Salvador, remained at the initial investigation stage. In a third case, eight members of

the armed forces had been convicted. That case had given rise to a further case involving an attempted cover-up by higher-ranking officials.

47. With regard to the Special Act on Trafficking in Persons, the relevant regulations had already entered into force, and the corresponding inter-agency protocol had been approved. The National Council on Trafficking in Persons was working to update the national policy plan and national operating plan. El Salvador had signed bilateral agreements on human trafficking with other countries in the region. There had been 44 cases of trafficking in persons in 2015, 52 in 2016 and 45 in 2017, and those cases had involved 35, 47 and 72 victims, respectively. Guilty verdicts had been rendered in 19 cases in 2015, 2 in 2016 and 3 in 2017.

48. **Mr. Robles Ticas** (El Salvador) said that the National Strategic Multisectoral Plan to Combat HIV/AIDS and Sexually Transmitted Infections served as a model for Latin America as a whole. In El Salvador, all appropriate antiretroviral drugs were available, there was no waiting list for treatment, and the vertical transmission of HIV would soon be eliminated. Indeed, only five cases had been reported in 2017. In the period 1984–2007, 35,594 persons had tested positive for HIV. Of those, 74 per cent had been women. Since 2017, the number of new cases of HIV had been halved from six a day to only three.

49. The HIV Infection Prevention and Control Act, which had entered into force in January 2017, was a human-rights-based law in contrast to the original law of the same title, which had been adopted in October 2001. There was an inter-agency strategy to coordinate its implementation across different sectors. The National AIDS Commission had been replaced by a new body.

50. El Salvador had developed the National Strategic Multisectoral Plan to Combat HIV/AIDS and Sexually Transmitted Infections for the period 2016–2021. The Plan would contribute to the achievement of the Sustainable Development Goals and accelerate the achievement of the 90-90-90 treatment target. The plan marked a new stage for El Salvador in which past achievements would be consolidated and scaled up in order to facilitate the early identification of new cases of HIV and expand access to antiretroviral therapy. The objectives of the plan were to forge alliances between the public sector, the private sector and civil society with the aim of making innovative and comprehensive health-care services available to key groups and to ensure the effective management of resources.

51. Persons living with HIV received treatment in all health-care facilities, including the 15 sentinel surveillance centres for groups at high risk of sexually transmitted infections. The new HIV Infection Prevention and Control Act would support the implementation of the National Strategic Multisectoral Plan.

52. The issue of termination of pregnancy continued to present a number of challenges in El Salvador. The executive branch, supported by a parliamentary group and with the approval of the Ministry of Health and a number of medical associations, had submitted a bill that sought to decriminalize voluntary termination of pregnancy in four specific circumstances, including pregnancies resulting from rape and those that posed a risk to the mother's life. However, its adoption had been hindered by the judicial and legislative branches. Although women suspected of having voluntarily terminated a pregnancy had at one time been reported to the authorities, medical practice had changed considerably in recent years. Indeed, respect for medical secrecy was such that, in the majority of cases, such women were not reported, and no action was taken against them. In 2017, over 7,000 miscarriages had been diagnosed and treated by health-care professionals, and 22 of those had resulted in death due to severe infection. There was a broad consensus among health-care professionals that, in the four specific circumstances identified by the executive branch, the voluntary termination of pregnancy should not constitute a criminal offence.

53. **Ms. Argueta Martínez** (El Salvador) said that violence against women was a serious problem in El Salvador. The Government had taken various measures to prevent and punish gender-based violence and to support women who had experienced violence as part of a strategy adopted in line with the Special Act on a Violence-Free Life for Women. The country's overarching aim in that regard was to empower women.

54. Efforts had been made to address violence against women in both the public and private spheres and to address different forms of violence, including economic and political violence. Progress had been made in targeting categories of perpetrator that had previously escaped attention. The country had a robust legislative framework in place to process cases of violence against women, and various new offences had been established. Specialized training had been introduced for officials involved in combating violence against women.

55. The Safe El Salvador Plan provided for specific measures to address violence against women. In that context, the national support system, which included 88 specialized units, offered three levels of support, which focused on initial access, legal assistance and empowerment, respectively. In close cooperation with the Crime Observatory of Peru, a pilot project was being developed to improve the collection of data on femicide.

56. Under Decree No. 286, the aim of which was to improve access to justice for victims of crimes against women and to combat impunity, three special investigating courts and three special sentencing courts had been set up around the country, and a special appeals court had been set up in San Salvador. The courts received assistance from a dedicated technical team, and efforts were being made to improve inter-agency cooperation in that connection. The Supreme Court of Justice and the Salvadoran Institute for the Advancement of Women both participated in the selection of judges.

57. The Attorney General's Office was formulating a policy of prosecuting cases of violence against women under criminal law and, with the support of the United Nations, was updating the Protocol for Investigating Femicide. Crimes involving sexual violence were among those most frequently reported to the Attorney General's Office. Some health-care facilities offered specialized care for victims of sexual violence.

58. Reconciliation was provided for under the Domestic Violence Act, but there were plans to amend the legislative framework with a view to eliminating provisions of that kind. Efforts were being made to strengthen women's participation in civil society and decision-making. Currently, around 20,000 women were involved in civil society at the national level. Although the results of the recent elections of deputies and mayors were not yet known, it was likely that they would lead to an increase in the representation of women. Women remained underrepresented in the executive branch, but a campaign entitled "More women, more equality" had recently been launched to increase their representation. Measures had also been taken to address political violence and, in particular, to encourage political parties to stamp out such violence.

59. **Ms. Guillén** (El Salvador) said that, that very day, Maira Verónica Figueroa Marroquín, a woman who had been convicted after having had a miscarriage, had been released from prison after the Supreme Court had commuted her 30-year sentence to a 15-year sentence. A number of similar cases were currently pending.

60. **Ms. Fernández Flores** (El Salvador) said that around 137,000 workers, some 42 per cent of whom were women, had benefited from the recent increase in the minimum wage. In the maquila sector, average monthly wages had increased from US$ 211 to US$ 299. The gender pay gap across the workforce as a whole had fallen since 2009 but remained at 17 per cent. Its persistence was due largely to the nature of the sectors in which women tended to work. Various actors, including the National Commission on Micro-Enterprises and Small Businesses and the Ministry of Agriculture and Livestock, had been involved in applying a series of measures to promote the participation of women in economic life. In October 2017, the Ministry of Labour and Social Security, the Salvadoran Institute for the Advancement of Women and the Ministry of Economic Affairs had signed a letter of understanding on the development of a procedure for certifying companies as equal.

61. On 29 February 2018, the Legislative Assembly had approved amendments to the Labour Code aimed at eliminating discriminatory practices against women in the workplace. The amendments had strengthened the pre-existing legislative framework, which included the Special Act on a Violence-Free Life for Women and the Act on Equality, Equity and Elimination of Discrimination against Women. Various steps had been taken in preparation for ratification of the ILO Domestic Workers Convention, 2011 (No. 189). To that end, the Ministry of Labour and Social Security had set up a dedicated inter-agency committee in 2015 to lead a process of analysis and consultation involving public bodies and civil society

organizations. It had the support the ILO country office in El Salvador. The relevant bill was currently under review in the Legislative Assembly. The Ministry of Labour and Social Security had granted legal status to two trade unions of female domestic workers.

62. **Ms. Rosa** (El Salvador) said that the bill on migration, a human-rights-based text, was currently under consideration. The Directorate General for Migration had submitted the bill to the plenary of the legislature in 2017. It had undergone a thorough technical review with the support of the International Organization for Migration and the United Nations High Commissioner for Refugees. The bill consisted of 433 articles, and 80 per cent of the text had so far been discussed.

63. The bill sought to establish rights and guarantees for migrants, including the right to personal integrity, the right to access the Family Status Register, the right to be treated individually in migration procedures, the right to non-discrimination, the right to due process and the right to be informed of any offences on the basis of which migration procedures have been instituted. In 2017, the Ministry of Labour and Social Security and the Directorate General for Migration had signed an agreement to develop technical and administrative solutions to facilitate the proper functioning of activities relating to the issuance of residence permits. One of the outcomes of its work had been an inter-agency protocol on the issuance to migrants of temporary residence permits granting the right to work.

*The meeting rose at 6 p.m.*